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09/11/00  
1625 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 10165-006-999 Total Pages 63

First Named Inventor or Application Identifier

Michael Brines

Express Mail Label No. EL 394 218 237 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
Submit an original, and a duplicate for fee processing
2. ☒ Specification [Total Pages 43]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 17]
4. ☒ Oath or Declaration [Total Sheets 02]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application.

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

4-12-00

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Express Mail No.: EL 394 218 237 US

**PENNIE & EDMONDS** LLP  
 COUNSELLORS AT LAW  
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 New York, N.Y. 10036-2711  
 (212) 790-9090

ATTORNEY DOCKET NO. 10165-006-999Date: April 11, 2000

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Brines et al.

Executed on: Not yet executed

Title of Invention: MODULATION OF EXCITABLE TISSUE FUNCTION BY PERIPHERALLY ADMINISTERED  
 ERYTHROPOIETIN

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	37	-20	17	\$18.00 each	\$ 306.00
Independent	4	-3	1	\$78.00 each	\$ 78.00
Minimum Fee					\$ 690.00
Multiple Dependency Fee If Applicable (\$260.00)					\$ 260.00
<b>Total</b>					\$ 1,334.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)					- \$ 0.00
<b>Total Filing Fee</b>					\$ 1,334.00

- ☒ Priority of application no. 60/129,131 filed on April 13, 1999 in the U.S.A. is claimed under 35 U.S.C. § 119.  
☐ The certified copy of the priority application has been filed in application no. filed  
☐ Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

*Laura A. Coruzzi*  
 Laura A. Coruzzi  
 PENNIE & EDMONDS LLP

30,742  
 (Reg. No.)

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.